IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: YOUDIM1.1A

In re Application of: Moussa YOUDIM et al.

IA No: PCT/IL2003/000932

IA Filed: November 7, 2003

Appln. No.: Not yet assigned

For: NEUROPROTECTIVE IRON
CHELATORS AND PHARMACEUTICAL
COMPOSITIONS COMPRISING THEM

Conf. No.:

Art Unit:

Examiner:

Washington, D.C.

May 9, 2005

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents U.S. Patent and Trademark Office Customer Service Window Randolph Building, Mail Stop Amendment 401 Dulany Street Alexandria, VA 22314

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §\$1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

- [X] 1. This IDS should be considered, in accordance with 37 CFR \$1.97, as it is filed:
- [X] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.
- [] B. before the mailing date of a first office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 CFR §1.114; or

| | [|) | c. | afte | r (A) | and | (B) | abov | e, bu | t befo | ore | fi | nal |
|------------|----|---|-----|-------|-------|------|------|-------|-------|--------|-----|-----|------|
| rejection | or | ē | llo | wance | , and | App | lica | nt ha | s mad | le the | ne | ces | sary |
| certificat | ic | n | (bo | к "i" | belo | w) o | r pa | id th | e nec | essar | y f | ee | kod) |
| "ii" bolo | ٠. | | | | | | | | | | | | |

- [] i. Counsel certifies that, upon information and belief, each item of information listed herein either was
 - (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
 - [) (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, not known to any individual designated in 37 CFR \$1.56(c) more than three months prior to the filing of this IDS.
- [] ii. Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in 37 CFR §1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035 of the undersigned.
- [X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s), which 37 CFR §1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached, except as explained below:

| [] | Α. | Documen | it (s | :) | is/ | are | deeme | d |
|---------------|------|---------|-------|-------------|-----|-----|-------|-----|
| substantially | cumu | lative | to | document(s) | | | | and |

in accordance with 37 CFR \$1.98(c), a copy of each of the former document(s) is not enclosed.

[] B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

(insert serial numbers and filing dates of prior applications) Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449, PTO/SB/08a and/or PTO/SB/08b (or their BN form equivalents) from the files of the prior application(s) or a fresh BN/SB/08A and/or BN/SB/08B listing these documents, and request that they be considered and made of record in accordance with 37 CFR \$1.98(d). Per 37 CFR \$1.98(d), copies of these documents need not be filed in this

[] 3. Document(s) ____ is/are not in the English language. In accordance with 37 CFR \$1.98(a)(3), Applicant states:

application.

- [] An English translation of each document (or of the pertinent portions thereof), or a copy of an English-language abstract (or claim) is enclosed.
- [] For documents _____, a corresponding English-language patent or published application is included on the accompanying Form BN/SB/08A, with a line drawn in the margin connecting the non-English-language document with its corresponding English-language document.
- [] A concise explanation of the relevance of document(s) _____ is found in the attached search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).
- [] A concise explanation of the relevance of document(s) is set forth as follows:

In re Appln. of pt/IL2003/000932 YOUDIM et al. 10534387-2GAD1625 JC96 Rec'd PC. TO 0.9 MAY 2005

|] |] | A concise ex | <pre>kplanation</pre> | of t | he | releva | nce | of |
|---|---|--------------|-----------------------|-------|-----|--------|-----|--------|
| | | document(s) | | can | be | found | on | page(s |
| | | of | the speci: | ficat | ior | 1. | | |

- [] A concise explanation of the relevance of document(s) _____ can be found on the attached sheet.
- [X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).
- [X] 5. Other information being provided for the examiner's consideration follows:

International Search Report

6. In accordance with 37 CFR §\$1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR \$1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

BROWDY AND NEIMARK
Attorneys for Applicant(s)

By:

Roger L. Browdy Registration No. 25,61

624 Ninth Street, N.W., Suite 300 Washington, D.C. 20001-5303 Telephone: (202)628-5197

Facsimile: (202)737-3528

RLB:lmh

G:\BN\B\BENA\YOUDIM1.1A\Pto\ids.fee.doc

| JC06 Rec'd PCT/PT0 | 01915849620 |
|--------------------|-------------|
| |) |

| Substitute for form 1449A/PTO | | | | Complete if Known- 7 / 7 F 7 | | |
|-------------------------------|---------------------|------|-----------|------------------------------|------------------------|--|
| | | | | Application Number | Not yet assigned 24 22 | |
| INFO | RMATION D | ISC | CLOSURE | Filing Date | Even date herewith | |
| STAT | EMENT BY | AΡ | PLICANT | First Named Inventor | Moussa YOUDIM | |
| • | | | | Group Art Unit | | |
| | (use as many sheets | as n | ecessary) | Examiner Name | | |
| Sheet | 1 | of | 1 | Attorney Docket Number | YOUDIM1.1A | |

| | | | | ENT DOCUMENTS | |
|-----------------------|--------------|-----------------------------------|--------------------------------|--|---|
| Examiner Initials* | Cite No.1 | Number-Kind Code ^{X (1)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | US- | | | |

| | | FOREIG | ON PATENT DO | CUMENTS | | |
|-----------------------|--------------|---|------------------|--------------------------------|---|----|
| | | Foreign Patent Number | Publication Date | Name of Patentee or Applicant | Pages, Columns, Lines, | |
| Examiner Initials* | Cite No.1 | Country Code* Number* Kind Code* (if known) | MM-DD-YYYY | of Cited Document | Where Relevant Passages or Relevant Figures Appear | TG |
| | ** | WO 00/74664 A2 | 12-14-2000 | Yeda Res. and Dev. Co. Ltd. | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | | | | | | |
|---|-------------|--|----|--|--|--|
| Examiner Initials* | Cite No. | Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T2 | | | |
| | | · | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| | Examiner Signature | /D Margaret Seaman/ | Date Considered | 11/18/2009 |
|--|-----------------------|---------------------|--------------------|------------|
|--|-----------------------|---------------------|--------------------|------------|

^{*}EXAMINER: this if reference considered, which or not ablate is a conformance with MEEP 600. Days line through classics if a reference on a considered, include capped this form with mate commencedered on applicant. *Applicant or large dation edupation makes (optional, include Cades of USFTO Patent Documents at leaves, updated on the property of the control of the very of the region of the Represence must procedule are dark inturbed of the patent document. She discontrol of the very of the region of the Represence must procedule are deal number of the patent document. The appropriate symbols as indicated on the document under WPO Standard ST.16 if possible. *Applicant is to place a check mark here if English language Transistion is attached.